

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

JOHN DEREK WILLIAMS,

Plaintiff,

V.

**BLUE CROSS BLUE SHIELD OF
ALABAMA and NEW HORIZONS
CHURCH,**

Defendants.

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) **CIVIL ACTION NO.**
) **CV 2:06CV716**
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JOINT MOTION FOR ENTRY OF QUALIFIED HIPAA ORDER

The parties, through counsel undersigned, jointly request that the Court enter the attached qualified HIPAA protective order to facilitate disclosure of documents in this case, some of which contains health information protected by the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”). The attached order is intended to authorize disclosures under the Privacy Regulations issued pursuant to the Act. See 45 C.F.R. 164.512(e)(i).

Dated this 16th day of November, 2006.

s/J. Bernard Brannan, Jr.
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John Derek Williams

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s/Cavender C. Kimble

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CERTIFICATION OF CONSENT TO E-FILE

The undersigned certifies that he has been given express permission to submit the electronic signatures of all other counsel above and to e-file same.

s/Cavender C. Kimble

Of Counsel

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JOHN DEREK WILLIAMS,)	
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Plaintiff,)	
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v.)	
)	CIVIL ACTION NO.
BLUE CROSS BLUE SHIELD OF)	CV 2:06CV716
ALABAMA and NEW HORIZONS)	
CHURCH,)	
)	
Defendants.		

QUALIFIED HIPAA PROTECTIVE ORDER

The parties are hereby granted the right, upon compliance with the applicable discovery provisions of the Federal Rules of Civil Procedure and the orders of this court, to obtain from any health care provider, health plan, or other entity covered by the Health Insurance Portability and Accountability Act of 1996, Pub. L. No. 104-191, 110 Stat. 1936 (1996) ("HIPAA"), and any and all information, including Protected Health Information, relating to the past, present, or future medical condition of any individual who is a party to this action (or the decedent or ward of a party who sues in a representative capacity), as well as any and all information relating to the provision of health care to such individual, and payment for the provision of such health care, including insurance coverage.

This order authorizes any third-party who is provided with a subpoena requesting the production of documents or commanding attendance at deposition or trial to disclose the Protected Health Information in response to such request or subpoena. This order is intended to authorize such disclosures under the privacy regulations issued pursuant to HIPAA. 45 C.F.R. § 164.512(e)(1)(i).

The parties are expressly prohibited from using or disclosing the Protected Health Information obtained pursuant to this order for any purpose other than this action. Further, the parties are ordered to either return to the covered entity from whom or which such Protected Health Information was obtained, or to destroy the Protected Health Information (including all copies made), immediately upon conclusion of this action. See 45 C.F.R. §§ 163.502(b); 164.512(e)(1)(v).

UNITED STATES DISTRICT JUDGE